

Attorney Docket: PC-738CIP

03-08-06

DAC
Supp
TFW

In application of:

First Named Inventor: Robert J. Tuttle

Serial No. 09/805,187

Filed: 03/13/2001

For: REALCALL MESSAGE DELIVERY SYSTEM WITH ECHO CANCELLATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents

Mail Stop Petition

P O Box 1450

Alexandria, VA 22313-1450

MAILED: March 7, 2006


Honorable Commissioner:

I enclose the following papers:

1. Petition for Acceptance of Delayed Payment of Issue and Publication Fees in Expired Patent to Reinstate Patent Unintentionally Abandoned Under 37 CFR 1.37(c)
2. \$700.00 for Issue Fee under 37CFR1.18(a)
3. \$300.00 for Publication Fee under 37 CFR 1.18(d)
4. \$750.00 for Petition to revive unintentionally abandoned application under 37 CFR 1.37(c)
5. \$30.00 for Copies of Patent
6. Return post card

Please enter the above communication.

Respectfully submitted,


Brian S. Steinberger
Law Offices of Brian S. Steinberger, P. A.
PTO Registration No. 36,423
Customer No.: 23717

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below by Express mail Receipt No.: EV326206019US, in an envelope addressed to: Mail Stop Petition, Assistant Commissioner for Patents, Patent and Trademark Office, P O Box 1450, Alexandria, VA 22313-1450.


3/7/06
Date

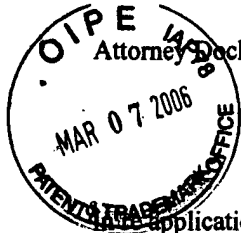
Brian S. Steinberger
(Name of Person Mailing Paper)

03/09/2006 TBESHAH1 00000011 09805187

01 FC:2453

750.00 OP


(Signature of Person Mailing Paper)



Attorney Docket: PC-738CIP

Application of:

First Named Inventor: Robert J. Tuttle

Serial No. 09/805,187

Filed: 03/13/2001

For: REALCALL MESSAGE DELIVERY SYSTEM WITH ECHO CANCELLATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents

Mailed: March 7, 2006

Mail Stop Petition

P O Box 1450

Alexandria, VA 22313-1450

Honorable Commissioner:

The above-identified patent became abandoned for failure to pay Issue and Publication Fees due 12/27/2005. Petitioner requests that **Petition for Revival of abandoned application Under 37 CFR 1.137(c) be accepted.**

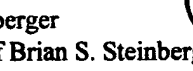
Applicant further states that his lack of reply was:

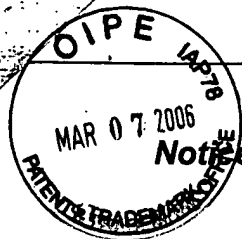
1. Unintentional;
2. Filed upon receipt of the enclosed Notice of Patent Expiration,
3. Is accompanied by the Issue, Publication and Petition fees required, and
4. Issue Fee Transmittal Form PTOL-85.

Applicant and his Attorney further request that the Petition for Revival be accepted, and the patent be revived as an unintentional error occurred.

If there are further requirements, please contact the undersigned immediately.

Respectfully submitted,


Brian S. Steinberger
Law Offices of Brian S. Steinberger, P. A.
PTO Registration No. 36,423
Customer No.: 23717
321 633-5080
Facsimile 321 633-9322



Notice of Abandonment

Application No.

09/805,187

Examiner

PHAN

Applicant(s)

TUTTLE

Art Unit

2645

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☒ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

lgd

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.